



Letter of Transmittal

Date: February 10, 2016

To: San Luis Obispo Planning Commissioner's

From: Jamie Kirk, Kirk Consulting

RE: February 11, 2016 Planning Commission Meeting

Item 8 - Merrill DRC 2014-00004

Applicant Proposed Modifications to the Findings and Conditions

Below you will find applicant proposed modifications to the Findings and Conditions of Approval for the Merrill Conditional Use Permit. The proposed modifications include the following:

- Added Finding H to address the comments received from the Department of Conservation.
- Condition modifications include the following:
 - Adding one additional year to the timeframes for the two phases
 - Clarification regarding outdoor amplified sound, including the appropriate Land Use Ordinance Section reference(s)
 - Removal of the condition requiring the existing Vacation Rental license be abandoned.

Added Finding H:

H. Williamson Act:

The proposed project will re-affirm the approval for the conversion of two 2,700 sq.ft. buildings to ag processing uses, extend the time frame for previously approved ag processing uses, and allow a limited increase to the existing special event program. The uses will be contained within the existing development envelope and will not result in the conversion of lands in production agriculture. The primary use on-site will be the processing of on and off-site grapes into wine.

Ag processing uses, including special events, are allowed as 'agricultural and compatible uses' by Table 2 of the SLO County Rules of Procedure to Implement the Land Conservation Act of 1965. The project will not compromise the long term productive agricultural capability of the contracted land. The project will not impair current or foreseeable agricultural operations on the property. The project will not result in the significant removal of on-site or off-site ag uses. Therefore, the project complies with the intent of the Laird Bill, as the primary use is and will remain agriculture.

Condition Revisions:

Condition 1: *Timeframes amended to allow 5 years and 10 years respectively from approval date*

1.A. Phase I: To be vested by 202~~19~~ in accordance with Condition 37.

1.B. Phase II: To be vested by 202~~65~~ in accordance with Condition 37.

Condition 2: *Condition should be amended to reflect that outdoor amplified music is allowed between the hours of 10:00 a.m. and 10:00 p.m. and reference the maximum dB at property line contained in LUO Section 22.30.070.D.2.i.3.*

2. This approval authorizes 25 special events for no more than 200 attendees in addition to the wine industry wide events. Outdoor Aamplified music ~~past 5:00 p.m between the hours of 10:00 a.m. and 10:00 p.m. -~~ is permitted subject to Conditions 48-~~50~~49. Maximum noise levels shall not exceed 65 decibels as measured at the property line.

Conditions 48-49 referenced above reflect renumbering if original condition 48 is removed.

Condition 48: *This condition should be removed as it is confusing in that it attempts to blend the noise modification provisions from the Winery portion of the Land Use Ordinance and the basic provisions of the Chapter 3 standards for Exterior Noise Levels. Section 22.30.070.D.2.i.3 is the appropriate standard to reference.*

Condition 59: *This condition should be removed. The existing Vacation Rental on the property was properly licensed and legally established on March 14, 2014. A Zoning Clearance for the Vacation Rental was issued (ZON 2013-00514). There have been no changes to the County Land Use Ordinance or the County's Rules of Procedure relating to Vacation Rentals since the Zoning Clearance and Business Licenses were issued. A Draft Inland Vacation Rental Ordinance is currently being circulated for public review. The Draft Inland Vacation Rental Ordinance proposes prohibiting the establishment of Vacation Rentals on Williamson Act properties. This project should not, as a part of this use permit, be conditioned to not allow the license to be renewed. The project should be subject to the provisions of the future Inland Vacation Rental Ordinance, when, and if, it is adopted.*

Business License

County of San Luis Obispo
State of California



No. 6002366

Having received the sum \$ 42.00

License is hereby granted to: Merrill Properties, LLC

MERRILL PROPERTIES, LLC
PO BOX 789
TEMPLETON, CA 93465-0721

Dated: March 14, 2014

**Authorized to Collect
Transient Occupancy Tax**

Doing Business As: **Merrill Properties, LLC**

To transact business of: **Vacation Rental**

Subject to restrictions of : **Zon2013-00514**

To be carried on at: **5032 S EL POMAR RD, TEMPLETON, CA 93465-8673**

in the County of San Luis Obispo, State of California for the period of **03/14/2014 to 02/28/2015**

in conformity with the provisions of Title 6 of County Codes as approved by the Board of Supervisors of San Luis Obispo County, California. **James P. Erb, CPA, County Tax Collector**

This license is *not transferable* and must be posted in a conspicuous place.

IMPORTANT INFORMATION

- Detach and display license conspicuously at the place of business for which issued.
- This business license is not transferable, any change in ownership must be made in person.
- A change in location and/or nature of business will require additional approval by the Planning Department.
- This business license must be renewed on a yearly basis.

Contact the Business License Division for additional information at (805) 781-5832.



County of San Luis Obispo

TAX COLLECTOR

Room D-290 County Government Center
San Luis Obispo, CA 93408-1003
805.781.5831 - FAX: 805.781.5362
Email: ttc@co.slo.ca.us

SAN LUIS OBISPO COUNTY TAX DEPARTMENT VERIFICATION: APPLICATION FOR BUSINESS LICENSE

Date: March 14, 2014

License: 6002366

Amount Due: \$ 42.00

Applicant: Merrill Properties, LLC

Business Phone: (805) 434-4100

Mailing Address: Po Box 789
Templeton, Ca 93465-0721

Attn:

DBA: Merrill Properties, LLC

Nature of Business: Vacation Rental

Business Location: 5032 S El Pomar Rd
Templeton, Ca 93465-8673

Owner Residence: 1220 Beaver Creek Lane
Paso Robles, Ca 93446

Other Contacts: Dana Merrill

Restrictions:

Applicant hereby states that he/she will not permit or suffer violation of any law or ordinance on the premises on which said business is to be located or in connection with the business for which the license is hereby applied for.

Signature: *Leah Magee*

Date: 3/14/14

Name (Printed) LEAH MAGEE

Title: Authorized Agent

20N 2013-00515

027-191-042

Inland Vac Rental

OK Mail 3/14/14

20N 2013-00515



Land Use Authorization

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

Project : ZON2013-00514 Vacation Rental (Inland)

Issued To : MERRILL PROPERTIES LLC
PO BOX 789
TEMPLETON CA, 93465-0789

Assessment(s) : 033-291-048

Planning Area : ELPO -El Pomar

Community : RELPO -Rural El Pomar

Legal Description :	<i>Tract/Town</i>	<i>Block/Range</i>	<i>Lot/Section</i>	<i>Zoning</i>
	COAL05-	382	0001	AG / /

Approved Use : VACATION RENTAL

Business Name : MERRILL PROPERTIES LLC

Location of Use : 05032 SOUTH EL POMAR RD RELPO

Comments : Bus. Lic.#

Note Conditions of Approval on the final page

Effective Date : 3/14/2014

This land use authorization will become effective on the date shown above.

Expiration Date : 9/14/2015

This land use authorization will expire on the above date if it has not been exercised or extended as required by sections 22.64 or 23.02.040 of the Land Use Ordinance.

Jan 2013 - 00514



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Issued To : MERRILL PROPERTIES LLC
PO BOX 789
TEMPLETON CA, 93465-0789

1. The house being used as a vacation rental may not be rented to more than one party in any seven day time period.

Note: By signing, the Applicant agrees to accept the conditions listed above. Failure to fulfill these conditions will void this authorization.

By

[Handwritten Signature]

Date

3/14/19

3/14/2014 4:27:17PM

This is not a building permit

Land_use_auth.rpt



County of San Luis Obispo

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Owner Residence: 1220 Beaver Creek Lane
Paso Robles, Ca 93446

Other Contacts: Dana Merrill

Restrictions:

Applicant hereby states that he/she will not permit or suffer violation of any law or ordinance on the premises on which said business is to be located or in connection with the business for which the license is hereby applied for.

Signature: Leah Magsee Date: 3/14/14

Name (Printed) LEAH MAGSEE Title: Authorized Agent

OK Knall 3/14/14
ZON 2013-00514 Inland Vac Rental

**COUNTY OF SAN LUIS OBISPO**

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**REGISTRATION FOR CERTIFICATE TO COLLECT
TRANSIENT OCCUPANCY TAX**

In accordance with Chapter 3.08 of the San Luis Obispo County Code

Business Start Date	March 12, 2014	(You must have a County Business License to operate a business)	
Owner Name	Merrill Properties LLC	Business License No. _____	
Business Name	_____	Number of Occupancy Rental Units	
Business Address	_____	1	
Vacation Rental Address	5032 South El Pomar	Will you be reporting any "Permanent Occupants?"	
	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	
City	Templeton	State	CA
		Zip	93465
Phone Number	805-434-4100		
Mailing Address	P.O. Box 789		
City	Templeton	State	CA
		Zip	93465
Email Address	dmerrill@mesavineyard.com		
Residence Address	1220 Beaver Creek Lane		
City	Paso Robles	State	CA
		Zip	93426
DOES OWNER OPERATE BUSINESS? If not, please furnish the following information			
Name of Manager	_____		
Address	_____		
City	_____	State	_____
		Zip	_____
Phone Number	_____	Email Address	_____
Signature of Owner:			Date 3-12-14
Print Name :	_____		
Thank you for doing business in the County of San Luis Obispo			
*** THIS AREA FOR OFFICE USE ONLY ***			
TOT LICENSE NO.	AREA CODE	REPORTING TYPE	ISSUED DATE
		Annually	
		INPUT BY	

CONSENT OF LANDOWNER

San Luis Obispo County Department of Planning and Building File No _____

I (we) the undersigned owner of record of the fee interest in the parcel of land located at (print address): 5032 South El Pomar, Templeton, CA 93465 identified as Assessor Parcel Number 033-291-048 for which a construction permit, land use permit, land division, general plan or ordinance amendment, or LAFCo application referral is being filed with the county requesting an approval for: Vacation Rental specify type of project, for example: addition to a single family residence; or general plan amendment), do hereby certify that:

1. Such application may be filed and processed with my (our) full consent, and that I (we) have authorized the agent named below to act as my (our) agent in all contacts with the county and to sign for all necessary permits in connection with this matter.

2. I (we) hereby grant consent to the County of San Luis Obispo, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the county, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their officers agents or employees if the other governmental entities are providing review, inspections and surveys to assist the county in processing this application. This consent will expire upon completion of the project.

3. If prior notice is required for an entry to survey or inspect the property. Please contact:

Print Name: Dana Merrill

Daytime Telephone Number: 805-434-4100

4. I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property N/A

Person or entity granting consent:

Print Name: Dana Merrill

Print Address: P.O. Box 789, Templeton, CA 93465

Daytime Telephone Number: 805-434-4100

Signature of landowner:  Date: 3-5-14

Authorized agent:

Print Name: Jamie Kirk Kirk Consulting

Print Address: 9720 Atascadero Avenue, Atascadero 93422

Daytime Telephone Number: 461-5765 fax: 462-9466

Signature of authorized agent: _____ Date: 3-5-14